

REMARKS

Claims 1, 2, 5-7 and 9-21 are all the claims pending in the application.

I. Claim Rejections under 35 U.S.C. § 103(a)

A. Claims 1-9, 13-17 and 19-21 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over International Standard ISO/IEC 14443-3 (Identification cards - Contactless integrated circuit(s) cards - Proximity cards (XP-001146902), hereafter "14443-3") in view of Berger et al. (US 6,168,083).

Claim 1, as amended, recites the feature of a mode judgment unit operable to judge an operation mode included in a contactless mode in which the contactless card operates, by judging whether or not a voltage at a predetermined point in the contactless card is a predetermined voltage.

With respect to the above-noted feature, Applicants note that the Examiner has taken the position in the Office Action that Berger discloses the ability to judge whether or not a voltage at a predetermined point in a contactless card is a predetermined voltage (see Office Action at page 3). In this regard, Applicants note that Berger discloses the use of a voltage recognition circuit that is able to switch between a contactless mode and a contact mode based on a detected voltage (see col. 2, lines 37-45).

Based on the foregoing, Applicants note that while Berger discloses the ability to switch between a contactless mode and a contact mode based on a detected voltage, that Berger does not disclose or in any way suggest that the detected voltage is used to switch between plural operating modes included in the contactless mode. As such, Applicants respectfully submit that

Berger does not disclose or suggest the above-noted feature recited in amended claim 1 directed to a mode judgment unit operable to judge an operation mode included in a contactless mode in which the contactless card operates, by judging whether or not a voltage at a predetermined point in the contactless card is a predetermined voltage. Further, Applicants respectfully submit that 14443-3 fails to cure this deficiency of Berger.

In view of the foregoing, Applicants respectfully submit that amended claim 1 is patentable over the cited prior art, an indication of which is kindly requested.

In addition, regarding claim 1, Applicants note that this claim has also been amended so as to recite that the judged operation mode included in the contactless mode determines, solely and independently of information received by the receiving unit, which one of (i) the identifier generated by the random identifier generation unit and (ii) the identifier generated by the specific identifier generation unit, is to be used as the identifier that identifies the contactless card.

With respect to the above-noted feature, Applicants note that the 14443-3 reference discloses two types of request commands that are transmitted from a partner device to a proximity card, namely, Request Command Type A (REQA) and Request Command Type B (REQB), with the answers to these request commands being identified as Answer to Request Type A (ATQA) and Answer to Request Type B (ATQB) (see sections 6.4.2 and 7.9.2). In this regard, as explained in 14443-3, the ATQA includes a Unique Identifier (UID), and the ATQB includes a Pseudo-Unique PICC Identifier (PUPI) to differentiate proximity cards during anticollision (see sections 6.4.2 and 7.9.2).

Based on the foregoing description, Applicants note that in 14443-3, the switching

between types of identifiers is based upon a request command (i.e., REQA or REQB) that is received from the partner device.

Thus, because the switching between identifiers in 14443-3 is based upon a request command received from a partner device, Applicants respectfully submit that 14443-3 does not disclose or suggest the above-noted feature recited in amended claim 1 which indicates that the judged operation mode included in the contactless mode determines, solely and independently of information received by the receiving unit, which one of (i) the identifier generated by the random identifier generation unit and (ii) the identifier generated by the specific identifier generation unit, is to be used as the identifier that identifies the contactless card. Further, Applicants respectfully submit that Berger does not cure this deficiency of 14443-3.

In view of the foregoing, Applicants respectfully submit that amended claim 1 is patentable over the cited prior art references, an indication of which is kindly requested.

Regarding claims 2, 5-7, 9, 17, 19 and 20, Applicants note that these claims depend from claim 1 and are therefore considered patentable at least by virtue of their dependency.

Regarding claims 13, 15 and 16, Applicants note that these claims have been amended so as to recite the features of judging an operation mode included in a contactless mode in which the contactless card operates by judging whether or not a voltage at a predetermined point in the contactless card is a predetermined voltage; and determining, based solely on said judged operation mode included in the contactless mode in said judging, and independently of information received from the reader/writer in said receiving, whether the identifier that identifies the contactless card is to be a random identifier or a specific identifier.

For at least similar reasons as discussed above with respect to claim 1, Applicants respectfully submit that the combination of 14443-3 and Berger does not teach, suggest or otherwise render obvious the above-noted features recited in amended claims 13, 15 and 16. Accordingly, Applicants submit that claims 13, 15 and 16 are patentable over the cited prior art, an indication of which is kindly requested. Claim 21 depends from claim 13 and is therefore considered patentable at least by virtue of their dependency.

Regarding claim 14, Applicants note that this claim has been amended to recite the features of a mode judgment unit operable to judge an operation mode included in a contactless mode in which the contactless card operates by judging whether or not a voltage at a predetermined point in the contactless card is a predetermined voltage, wherein the judged operation mode included in the contactless mode determines, solely and independently of information received by said receiving unit, which one of (i) the identifier generated by the random identifier generation unit and (ii) the identifier generated by the specific identifier generation unit, is to be used as the identifier that identifies the contactless card.

For at least similar reasons as discussed above with respect to claim 1, Applicants respectfully submit that the combination of 14443-3 and Berger does not teach, suggest or otherwise render obvious the above-noted features recited in amended claim 14. Accordingly, Applicants submit that claim 14 is patentable over the cited prior art, an indication of which is kindly requested.

B. Claim 10 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over 14443-3 in view of Berger, and further in view of Nakabe et al. (US 2003/0094491).

Claim 10 depends from claim 1. Applicants submit that Nakabe et al. (US 2003/0094491) fails to cure the deficiencies of 14443-3 and Berger, as discussed above, with respect to claim 1. Accordingly, Applicants submit that claim 10 is patentable at least by virtue of its dependency.

Further, regarding claim 10, Applicants note that this claim recites that the specific identifier generation unit is operable to generate the identifier based on information stored in a read only memory, wherein the information stored in the read only memory is not rewritable. Regarding the above-noted feature, Applicants note that the Examiner has taken the position in the Office Action that Nakabe discloses such a feature at paragraph [0062] (see Office Action at page 7). Applicants respectfully disagree.

In particular, Applicants note that paragraph [0062] of Nakabe discloses that a response judgment unit 102, a response slot changing unit 103 and a use deciding unit 104 can be stored in a ROM 204 as a program, and if necessary, read out and executed by CPU 201. In this regard, Applicants respectfully submit that the mere ability disclosed in Nakabe of storing such units in a ROM as a program, and reading out and executing such a program, does not in any way whatsoever correspond to the ability of a specific identifier generation unit to generate an identifier based on information stored in a read only memory.

If the Examiner disagrees, Applicants kindly request that the Examiner provide Applicants with an explanation as to how the above-noted disclosure in Nakabe corresponds to the claimed ability to generate an identifier based on information stored in a read only memory.

In view of the foregoing, Applicants respectfully submit that the Nakabe does not disclose, suggest or otherwise render obvious the above-noted feature recited in claim 10 of a specific identifier generation unit being operable to generate the identifier based on information stored in a read only memory, wherein the information stored in the read only memory is not rewritable. Accordingly, Applicants submit that claim 10 is patentable over the cited prior art, an indication of which is kindly requested.

C. Claims 11 and 12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over 14443-3 in view Berger, and further in view of Guenther (US 6,111,951).

Claims 11 and 12 depend from claim 1. Applicants submit that Guenther (US 6,111,951) fails to cure the deficiencies of 14443-3 and Berger, as discussed above, with respect to claim 1. Accordingly, Applicants submit that claims 11 and 12 are patentable at least by virtue of their dependency.

II. Allowable Subject Matter

Regarding claim 18, Applicants note that this claim was not rejected in the Office Action dated February 2, 2009. Thus, Applicants presume that the Examiner intended to indicate that claim 18 has been objected to as being dependent upon a rejected base claim, but would be

allowable if rewritten in independent form. Clarification from the Examiner regarding this matter is kindly requested.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Futoshi NAKABE et al.

/Kenneth W. Fields/

By: 2009.04.27 14:07:15 -04'00'

Kenneth W. Fields
Registration No. 52,430
Attorney for Applicants

KWF/krq
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
April 27, 2009